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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,849	07/07/2004	Jean-Paul Caruana	032326-282	8748

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BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
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CAPUTO, LISA M

ART UNIT	PAPER NUMBER
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2876

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/500,849

**Applicant(s)**

CARUANA, JEAN-PAUL

**Examiner**

Lisa M. Caputo

**Art Unit**

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 11-18 is/are rejected.
- 7) ☒ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Amendment***

1. Receipt is acknowledged of the amendment filed 29 December 2006.

### ***Information Disclosure Statement***

2. The two German references now provided from the previously filed IDS on 7 July 2004 have been considered and have been placed on the Notice of References Cited form.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chalmers et al. (EP 0057602, from hereinafter "Chalmers") in view of Kreft (U.S. Patent No. 5,206,495).

Regarding claims 1, 7, 13, 16, and 18, Chalmers teaches an intelligent portable object and method comprising a first communication interface being of the contactless type to send and/or receive data by inductive coupling with a station (input/output circuitry 15), a peripheral circuit (circuit for display device 14) connected to the first communication interface, and a central data processing circuit (integrated circuit for performing data logic and processing functions), wherein the data exchanged between the peripheral circuit and the central circuit passes via the station since they are not

Art Unit: 2876

electrically connected to each other (i.e. are electrically isolated) (see Figure 1, abstract, pages 2-3).

Regarding claims 1, 5, 7, 11, 13, 16, and 18, Chalmers fails to teach that there is a second communication interface that is connected to the central data processing circuit which sends/receives data by inductive coupling.

Kreft teaches a chip card with capabilities for both contact and contactless data transmission. Kreft teaches that two coils 4 and 5, are coupled to the semiconductor device 2. These coils are configured for bidirectional transmission of data and for transmission of energy via inductive coupling (see Figure 1, col 1, col 3, lines 3-10).

In view of the teaching of Kreft, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a second communication interface because it is more efficient to have multiple communication interfaces so that if one malfunctions, the other one is available for use. This is favorable because the system as a whole will be more efficient since the system will not be stopped for working due to a non-working interface.

Regarding claims 2, 14-15, and 17, Chalmers teaches that the peripheral circuit is a display (display device 14), but that also a keypad (1) may be used (see Figure 1, abstract).

Regarding claim 3, Chalmers teaches that the central circuit is an integrated circuits comprising a processing unit (see Figure 1, abstract, pages 2-3).

Regarding claim 4, Chalmers fails to teach that there could be a plurality of a first type of communication interfaces.

Kreft teaches a chip card with capabilities for both contact and contactless data transmission. Kreft teaches that the chip card 1 has two coils 4 and 5, which are coupled to the semiconductor device 2. These coils are configured for bidirectional transmission of data and for transmission of energy via inductive coupling (see Figure 1, col 3, lines 3-10). Hence, Kreft teaches the use of multiple communication interfaces.

In view of the teaching of Kreft, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a second communication interface because it is more efficient to have multiple communication interfaces so that if one malfunctions, the other one is available for use. This is favorable because the system as a whole will be more efficient since the system will not be stopped for working due to a non-working interface.

Regarding claim 6, Chalmers fails to teach that the second communication interface is of the contact type.

Kreft teaches a chip card with capabilities for both contact and contactless data transmission. Kreft discloses that the chip card 1 has contacts in the contact field 3 (see Figure 1, col 2, lines 64-67).

In view of the teaching of Kreft, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a second communication interface of the contact type in addition to a contactless type because it is more efficient to have multiple communication interfaces so that if one malfunctions, the other one is available for use. This is favorable because the system as a whole will be more efficient since the system will not be stopped for working due to a non-working interface.

Regarding claim 12, Chalmers teaches a plurality of peripheral circuits when it is shown that there can be a display (display device 14), but that also a keypad (1) may be used (see Figure 1, abstract).

***Allowable Subject Matter***

4. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

The best prior art of record fails to teach the specific method steps for differing the modulation of the loads on the first communication interface, the second communication device, and the station, and further, the degrees of modulation of the data.

***Response to Arguments***

6. Applicant's arguments filed 29 December 2006 have been fully considered but they are not persuasive.

7. In response to applicant's arguments on page 8 of the Remarks, that each of the components 1, 2, and 4-17 in the Chalmers reference are electrically connected to one another, examiner respectfully disagrees and submits that there are signals that are transferred between the components, but the main basis for communication within the Chalmers reference is that of inductive coupling, as is taught in the abstract, as it is explained that the integrated circuit is accessible via an inductive coupling link, hence

the circuit is in communication with a station that is inductively coupled with the communication interface.

In response to applicant's arguments on page 9 of the Remarks, that there is no teaching in the Kreft patent that would show that one coil should be connected to the display device 14 and another coil should be connected to the control circuit 4, examiner respectfully disagrees and submits that the Kreft reference is used to show that it is well known in the art to have different interfaces connected to portable objects so that proper communication can be made.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lisa M. Caputo** whose telephone number is (571) 272-

Art Unit: 2876

**2388.** The examiner can normally be reached between the hours of 8:30AM to 5:00PM Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached at **(571) 272-**

**2398.** The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [lisa.caputo@uspto.gov].

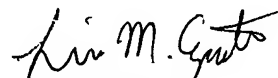
*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lisa M. Caputo

AU 2876

March 31, 2007



LISA CAPUTO  
PRIMARY PATENT EXAMINER